

REMARKS

In accordance with the foregoing, claim 1 has been amended, and claims 1, 2, 8, and 19 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 2, and 19 are rejected under 35 U.S.C. §102(b), as being anticipated by KR 2002-0074550 (hereinafter Jeong). In particular, the Examiner asserts that Jeong teaches a battery including tabs that are bent only once, after extending out of a resin 300 used to seal a battery case. The Examiner also asserts that the resin 300 is a sealing surface of the case, and a lower part 122 of the case is not a sealing surface of the case, because the resin 300 is recited to be for sealing the case.

In order to even more particularly point out the aspects of the present invention, claim 1 has been amended, so as to recite that the case comprises upper and lower case bodies that are joined together at a sealing surface disposed along the periphery of the space; and the electrode tabs extend through the sealing surface of the case, and are then bent only once.... Support for this amendment can be found in paragraph [0031] of the present application.

In contrast, Jeong teaches that the case includes can 100 having a bottom 112, sidewalls 113 that extend vertically from the bottom 112, a lower part 122 that extends laterally from the sidewalls 113, and sidewalls 123 that extend vertically from the lower part (FIG. 1). The case also includes a cap 200 having a top 210, sidewalls 230 that extend vertically from the top 210, and a flange 221 that extends laterally from the sidewalls 230 (FIG. 2). The case is formed by resistance or laser welding the lower part 122 and flange 221 (page 5, paragraph 3, FIG. 3). Then, a resin 300 is filled between the sidewalls 123 and 230, to prevent a junction of the cap 200 and the can 100 (between the lower part 122 and the flange 221) from leaking electrolyte (page 5, paragraph 4).

Since Jeong teaches that the can 100 and cap 200 are welded together prior to the application of the resin 300, one of skill in the art would understand that the welded lower part 122 and the flange 221 constitute a sealing surface of the case, as recited in amended claim 1. In addition, since Jeong recites that the resin 300 is a separate element from the case Applicants respectfully assert that the sealing surface could not reasonably be interpreted to be

anticipated by the resin 300.

Furthermore, in Jeong, the electrode tabs extend horizontally through the sealing surface (between the lower part 122 and the flange 221) and are bent a first time, so as to be parallel to the sidewall 123 and extend through the resin 300 and the lower part 122 (page 5, paragraph 7, FIG. 4). The electrode tabs then are bent a second time, so as to be parallel to the lower part 122 and contact the PCB 400. Accordingly, the electrode tabs must be bent twice (180 degrees) after emerging from the sealing surface, in order to contact the PCB.

As such, the electrode tabs of Jeong cannot be reasonably interpreted to be bent only once, at a substantially right angle with respect to a plane of the sealing surface of the case, as recited in amended claim 1. Accordingly, Jeong fails to teach or disclose all aspects of the present claims. Therefore, this rejection has been respectfully traversed. Reconsideration and withdrawal are respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1, 2, 8, and 19 are rejected under 35 U.S.C. §103(a), as being unpatentable over Applicant's Admitted Prior Art hereinafter AAPA. In particular, the Examiner asserts that it would have been obvious to bend the electrode tabs of the AAPA only once, at a substantially right angle, and then relocate the PCB, because such a change is merely a rearrangement of parts.

Contrary to the assertion of the Examiner, the presently recited electrode tabs are bent at a substantially right angle, while the electrode tabs of the AAPA are bent twice at a 180 degree angle. Thus, the present and AAPA electrode tabs have different shapes, the electrode tabs are not the same. Accordingly, evidence must be provided as to why it would have been obvious to use such electrodes in the AAPA. However, the Examiner has failed to provide any evidence of a rational for making such a change.

However, as recited in present paragraphs [0014] and [0015], bending electrode tabs in such a manner as shown in the AAPA often results in the electrode tabs being cut during the bending process. In addition, the horizontal position of the PCT requires a larger sealing surface, and thus, increases the overall size of the battery. Therefore, the presently claimed battery provides unexpected reliability and size reduction benefits, as compared to the AAPA.

Accordingly, the rejected claims are not obvious over the AAPA, because the variations between the AAPA and the presently claimed invention are not merely rearrangements of existing parts of the AAPA, and provide benefits not taught in the AAPA. Therefore, this rejection has been respectfully traversed. Reconsideration and withdrawal are respectfully requested.

Claim 8 is rejected under 35 U.S.C. §103(a), as being unpatentable over Jeong as applied to claim 1 above, and further in view of Applicant's Admitted Prior Art hereinafter AAPA. In particular, the Examiner asserts that the AAPA remedies the deficits of Jeong, by teaching electrode tapes.

For at least the reasons recited above, this combination fails to teach or disclose all aspects of the rejected claims. Therefore, this rejection has been respectfully traversed. Reconsideration and withdrawal are respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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